

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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AMANDA U. AJULUCHUKU,

Plaintiff,

vs.

ACOUNTEMPS OF ROBERT HALF
INTERNATIONAL (ARH),

Defendant.

CV-S-05-0653-RCJ-(RJJ)

REPORT & RECOMMENDATION
OF UNITED STATES
MAGISTRATE JUDGE

This matter was submitted to the undersigned Magistrate Judge on an Application to Proceed *In Forma Pauperis* (#1).

This is Plaintiff, Amanda U. Ajuluchuku's tenth lawsuit in this district this calendar year. Seven cases have already been dismissed. This claim, as the others before, rests on a charge of discrimination. Plaintiff has not exhausted her administrative remedies, but seeks to file this "case while waiting for the right to sue letter."

Plaintiff is abusing the process afforded by this federal court. She states no viable basis for her complaint at this time. She has some income. Therefore, the Application to Proceed *In Forma Pauperis* (#1) should be denied and this case dismissed.

RECOMMENDATION

Based on the foregoing and good cause appearing therefore,

IT IS THE RECOMMENDATION of the undersigned Magistrate Judge that the Application to Proceed *In Forma Pauperis* (#1) be **DENIED**.


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1 IT IS FURTHER RECOMMENDED that this case be **DISMISSED**.

2 **NOTICE**

3 Pursuant to Local Rule IB 3-2 [former LR 510-2] any objection to this Report and
4 Recommendation must be in writing and filed with the Clerk of the Court within ten (10) days
5 after service of this Notice. The Supreme Court has held that the courts of appeal may determine
6 that an appeal has been waived due to the failure to file objections within the specified time.
7 Thomas v. Arn, 474 U.S. 140 (1985), reh'g denied, 474 U.S. 1111 (1986). This Circuit has also
8 held that (1) failure to file objections within the specified time and (2) failure to properly address
9 and brief the objectionable issues waives the right to appeal the District Court's order and/or
10 appeal factual issues from the order of the District Court. Martinez v. Ylst, 951 F.2d 1153 (9th
11 Cir. 1991); Britt v. Simi Valley United Sch. Dist., 708 F.2d 452, 454 (9th Cir. 1983).

12 DATED this 10th day of June, 2005.

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15 ROBERT J. JOHNSTON
16 United States Magistrate Judge
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